

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

QUYNN FOLKES

Plaintiff,

v.

UNIVERSITY OF HOUSTON

Defendant.

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CAUSE NO. 4:20-CV-3165

DEFENDANT THE UNIVERSITY OF HOUSTON’S INITIAL DISCLOSURES

TO: Plaintiff, Quynn Folkes, by and through her attorneys of record, Nathan E. Inurria and George K. Farah, Farah Law Group, PLLC, 1211 Hyde Park Blvd, Houston, Texas 77006

Defendant The University of Houston (“Defendant” or “UH”) objects that discovery should not be conducted against it because UH is entitled to Eleventh Amendment immunity from this suit. UH filed a Motion to Dismiss pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure [ECF No. 7] (the “Motion to Dismiss”) based upon its Eleventh Amendment immunity and the Court’s lack of jurisdiction to hear Plaintiff’s claims, which has not yet been ruled upon by the Court. Subject to and without waiving the foregoing objections and the arguments in the Motion to Dismiss, UH serves their Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) and reserves the right to supplement these disclosures with additional information discovered in the course of discovery or otherwise.

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER

First Assistant Attorney General

RYAN L. BANGERT

Deputy First Assistant Attorney General

SHAWN COWLES

Deputy Attorney General for Civil Litigation

THOMAS A. ALBRIGHT

Chief - General Litigation Division

/s/ Rola Daaboul

Rola Daaboul

Texas Bar No. 24068473

Assistant Attorney General

General Litigation Division

P.O. Box 12548, Capitol Station

Austin, Texas 78711-2548

(512) 936-1322

FAX: (512) 320-0667

e-mail: rola.daaboul@oag.texas.gov

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served electronically through the electronic-filing manager on this the 28th day of May 2021, to:

Nathan E. Inurria

George K. Farah

Farah Law Group, PLLC

1211 Hyde Park Blvd.

Houston, Texas 77006

(713) 529-6606

(713) 529-6605

gkf@glawoffices.com

nei@glawoffices.com

UNIVERSITY OF HOUSTON'S INITIAL DISCLOSURES

A. INDIVIDUALS WITH DISCOVERABLE INFORMATION

1. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

Answer:

Quynn Folkes
c/o Nathan E. Inurria
Farah Law Group, PLLC
1211 Hyde Park Blvd.
Houston, TX 77006
(713) 529-6606
Plaintiff

University of Houston
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax
Defendant

Cheryl Person, M.D.
Chief Psychiatrist, UH Student Health Center
4849 Calhoun Rd., Room 2005
Houston, Texas 77004
(713) 743-5151
Ms. Person has knowledge of facts relating to Plaintiff's claims.

Cheryl Amoruso Spadaccia
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax
Ms. Spadaccia has knowledge of facts relating to Plaintiff's claims.

Paige Pitman
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax
Ms. Pittman has knowledge of facts relating to Plaintiff's claims.

Toni Benoit
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax
Ms. Benoit has knowledge of facts relating to Plaintiff's claims.

Liz Coyle
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax
Ms. Coyle has knowledge of facts relating to Plaintiff's claims.

Crystal McDonald
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax
Ms. McDonald has knowledge of facts relating to Plaintiff's claims.

Dean Lamar Pritchard
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division

P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Mr. Pritchard has knowledge of facts relating to Plaintiff's claims.

Dr. Sarah Larsen
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Ms. Larsen has knowledge of facts relating to Plaintiff's claims.

Lindsey Schwarz
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Ms. Schwarz has knowledge of facts relating to Plaintiff's claims.

Dr. Doug Eikenberg
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Mr. Eikenberg has knowledge of facts relating to Plaintiff's claims.

Alejandra Santa
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Ms. Santa has knowledge of facts relating to Plaintiff's claims.

Mario Jenkins
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Mr. Jenkins has knowledge of facts relating to Plaintiff's claims.

Jennifer Green
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Ms. Green has knowledge of facts relating to Plaintiff's claims.

Tashemia V. Jones,
c/o Rola Daaboul
Office of the Attorney General
General Litigation Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711
(512) 836-1322
(512) 320-0667 Fax

Ms. Jones has knowledge of facts relating to Plaintiff's claims.

The above individuals, medical providers, and custodians of records are non-retained experts that are expected to testify as to facts relating to Plaintiff's claims in this lawsuit, including but not limited to Plaintiff's educational performance at UH's College of Pharmacology, communications with the Plaintiff, accommodations provided to Plaintiff, the care and treatment of Plaintiff, her medical history, diagnosis, prognosis, causation impairment, disability, pain, and necessity of medical expenses and related medical issues. In addition, they will likely testify to matters contained in their records and reports.

B. RELEVANT DOCUMENTS AND TANGIBLE THINGS

2. A copy of, or a description by category and location of all documents, data compilations, tangible things that are in possession, custody, or control of the party and that the disclosing party may use

to support its claims or defenses, unless solely for impeachment.

Answer:

UH reserves the right to withhold from disclosure any and all documents or things protected by the attorney-client privilege, the attorney-work product doctrine, the investigative privilege, the joint defense privilege, the community of interest privilege and/or the common interest privilege. Plaintiff reserves the right to supplement this response. Subject to and without waiving the foregoing objections, UH responds as follows:

UOH_000001-000171_Appeal
UOH_000172-uoh000173_Response to Appeal
UOH_000174_UOH000262_2018-2019 pharmd-handbook-final-2018-19
UOH_000263_UOH000337_20210521_122930
UOH_000338_UOH000338_email_grading
UOH_000339_UOH000379_Folkes - College of Pharmacy - MTF with attachments
UOH_000380_UOH000454_Folkes Emails 2017 to 2019
UOH_000455_UOH000456_Folkes grievance decision 12-17-19
UOH_000457_UOH000457_Folkes Quynn Pittard 1333743 Co2020
UOH_000458_UOH000465_Notes from meetings 2017 to 2019
UOH_000466_UOH000479_PHAR 5403 Pcol 2 syllabus_2019.1
UOH_000480_UOH000481_Quyen Folkes_AP Letter
UOH_000482_UOH000482_Quynn Folkes P2_2
UOH_000483_UOH000483_Re_Quynn Folkes P2
UOH_000484_UOH000484_Re_Quynn Folkes P2_1
UOH_000485_UOH000567_PharmD Handbook 2016-17 8-19-16final

Discovery and investigation of facts is ongoing and UH reserves the right to supplement this response.

C. INFORMATION RELATED TO CALCULATIONS OF DAMAGES.

3. UH is not seeking damages at this time but specifically reserves the right to supplement and/or amend this response.

D. INSURANCE

4. For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Response: N/A